



STATE OF TEXAS §

July 25, 2017

COUNTY OF FANNIN §

BE IT REMEMBERED THAT A Special Meeting of the City Council of the City of Leonard, Fannin County, Texas was begun and held in the Council Chambers of City Hall on July 25, 2017.

Members Present:

Steven Bolin - Mayor

David Norman – Place 1

Jane Blackerby – Place 2

Bob Pannkuk – Place 3

Leonard Phillips – Place 4

Dion Pontius – Place 5

Staff Present:

Brian Meserole, Police Chief

Terry McCalpin, Public Works

Beth Woodson - Secretary

Chris Kitts, Police Stg.

Public Hearing

For the purpose of a zoning change for property at 415 W. Fannin and 445 West Fannin in the City of Leonard, Fannin County, Texas as shown as being a tract of land known as: A0924 J Roberts, Acres .9748, Geo ID # 0924-003-0040-02 by the Fannin County Appraisal District presently zoned as Agriculture District (A) to be designated as Single Family Residential District (SF-2).

a. Citizens Comments

Glenn Griffitt asked if this was the old Dockery land.

b. Council Comments

No Comments were made by Council

For the purpose of a zoning change for property at 3701 N. Hwy 69 in the City of Leonard, Fannin County, Texas as shown as being a tract of land known as: A0770 M Moore, Acres .717, Geo ID # 0770-022-01A1-02 by the Fannin County Appraisal District presently zoned as Single Family Residential District (SF-1).to be designated as Commercial District – Office, Light Retail, and Neighborhood Services (C-1) with a Specific Use Permit for Multifamily District (MF)

a. Citizens Comments

Sue McDonald – 109 N. Griffitt St – stated that she was opposed to the apartment building there.

Erick Whaley – 1100 N. Griffitt St – stated that he agreed with Ms. McDonald.

Betty Griffitt Barker – stated that she had lived in her house for many years and would not be happy with apartment in her back yard, Jeremy has other options.

Shanna Lewis - 813 Flanegan Rd. – stated she opposed the zoning changes from SR-1 toC-1 and

also the multifamily. Already several properties that are commercial and didn't want the characteristics of the neighborhood to change. He currently uses a private road for his entrance access. The dumpster is an issue on the private road and an apartment complex will just cause another dumpster on this ¾ acres. It will increase the traffic follow to this area.

Jay Barker – 1001 N. Griffitt – stated the traffic on Griffitt Street is already a busy street and in reference to the C-1 with apartments that is on the square.

Louise Griffitt – 1107 Griffitt – stated she just loved looking out her kitchen window and seeing rural Texas, she wanted to keep the country.

Jeremy Nolan -1109 N. Oak St – stated my family has been in business for 50 years here in Leonard, I am a third generation of business owners. I bought the property with existing business with no deed restrictions on the property and the owner sold the ¾ acre so that I might have room to expand my business. I have contacted TxDOT and they are working on the paperwork to allow me to extend the entrance of the private road 45 feet onto my property and there will be no increase of traffic on Griffitt St. or on Flanagan Rd., the dumpster is 6 feet within my property line. I have been under the understanding that it was already zoned Commercial due to my paying Commercial property taxes. I pay all kinds of Commercial taxes. I am planning in investing in a 20ft Engineered Steel building. Out of my own pocket I have had a survey of the property completed to allow everyone to know where the property boundaries are. There are several other commercial businesses on the highway near mine, Joe's Car Care, Apartments, Storage buildings and Circle Star which are all profitable businesses. We try to be good neighbors to our neighbors; I will put up a privacy fence to block the view from the neighbors. I entered into negotiations with the Furniture Store on the square, but we just couldn't come to an agreement that I would be financially stable with. I have had discussion with other furniture store owners and they all tell me to be profitable you need to be on the Highway, so you are visible to through traffic. Leonard is known for being a place that is hard to build a business in and be successful. We are within our rights to build on our property. The precedence has already been set in Leonard for Commercial buildings to have Lofts in the zoning of Commercial C-1 settings.

Glenn Griffitt – 1107 Griffitt St – stated that he sold the property to Jeremy against his wishes, and that he never was he intent to have an apartment complex on ¾ acre on this property.

He stated he was very disappointed that Jeremy did not come visit with him first, but instead received a certified letter in the mail of such change. He stated he has had the property surveyed twice, we really don't know where the property lines are. There is not city water and sewer other than that the lines that run across my property. There is no way financially that three apartments are going to pay for the building. I am concerned about the night time noise, the water runoff and devalue it will bring the two vacant lots that I could sell for homes in the \$300,000.00 range. This property was never intended to be a 24-hour business; noise is a great issue to me. This will totally change the neighborhood structure and the property values will go down. I can't understand why he didn't put it on the square.

b. **Council Comments**

No Comments were made by Council

Mayor Bolin closed the Public Hearing at 6:02 p.m.

Special Council Meeting

1. Invocation
The invocation was led by Bob Pannkuk.
 2. Pledge to the United State and Texas Flag
Mayor Bolin led the council in the pledge to the United States and Texas Flag.
 3. Call to Order
Mayor Bolin called the meeting to order at 6:03 p.m. with a quorum of five councilmembers.
 4. Proof of Posting of Notice of Meeting – City Secretary
Mayor Bolin noted the proof of posting of meeting by City Secretary.
 5. Verification of Quorum
Mayor Bolin noted the quorum of five councilmembers.
- Action Items:
6. Consider and approve Planning and Zoning Recommendation for Zoning Change Request for a zoning

change for property at 415 W. Fannin and 445 West Fannin in the City of Leonard, Fannin County, Texas as shown as being a tract of land known as: A0924 J Roberts, Acres .9748, Geo ID # 0924-003-0040-02 by the Fannin County Appraisal District presently zoned as Agriculture District (A) to be designated as Single Family Residential District (SF-2).

Leonard Phillips made the motion to approve Planning and Zoning recommendation for Zoning Change Request for a zoning change for property at 415 W. Fannin and 445 West Fannin in the City of Leonard, Fannin County, Texas as shown as being a tract of land known as: A0924 J Roberts, Acres .9748, Geo ID # 0924-003-0040-02 by the Fannin County Appraisal District presently zoned as Agriculture District (A) to be designated as Single Family Residential District (SF-2). Bob Pannkuk seconded the motion. Motion carried 5-0.

7. Consider and approve Planning and Zoning Commission Recommendation for change Request for the purpose of a zoning change for property at 3701 N. Hwy 69 in the City of Leonard, Fannin County, Texas as shown as being a tract of land known as: A0770 M Moore, Acres .717, Geo ID # 0770-022-01A1-02 by the Fannin County Appraisal District presently zoned as Single Family Residential District (SF-1).to be designated as Commercial District – Office, Light Retail, and Neighborhood Services (C-1) with a Specific Use Permit for Multifamily District (MF) .

Bob Pannkuk made the motion to approve the Planning and Zoning Commission recommendation for change request for the purpose of a zoning change for property at 3701 N. Hwy 69 in the City of Leonard, Fannin County, Texas as shown as being a tract of land known as: A0770 M Moore, Acres .717, Geo ID # 0770-022-01A1-02 by the Fannin County Appraisal District presently zoned as Single Family Residential District (SF-1).to be designated as Commercial District – Office, Light Retail, and Neighborhood Services (C-1) and to table the Specific Use Permit for Multifamily District (MF) until Council could address the specific code that dealt with Multifamily in Commercial C-1 zoning. Leonard seconded the motion. Motion carried, 4-1, David Norman abstaining.

8. Consider and act upon setting date for City Wide Fall Clean-up.
Dion Pontius made the motion to take no action on the setting date for City Wide Fall Clean-up until Public Works Director could finalize the details of the cost of the project. Bob Pannkuk seconded the motion. Motion carried, 5-0.

9. Workshop

Code of Ordinance

Council reviewed the Code of Ordinance with each councilmember giving their views on certain topics.

10. Consider and act on any changes for the Code of Ordinance.
Dion Pontius made the motion to take no action on any changes for the Code of Ordinance. David Norman seconded the motion. Motion carried, 5-0.
11. Adjournment
Bob Pannkuk made the motion to adjourn at 7:09 p.m. David Norman seconded the motion. Motion carried, 5-0.

ATTEST BY:

Beth Woodson, City Secretary

Steven Bolin, Mayor